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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

KENNETH HEBERT, ET AL. : DOCKET NO. 05-0451
VS. : JUDGE MINALDI
ENERGEN RESOURCES CORP. : MAGISTRATE JUDGE WILSON

JUDGMENT OF REMAND

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein and after an independent review of the record, and a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

IT IS ORDERED that plaintiffs' motion to remand [doc. # 13] be, and it is hereby GRANTED. The cause is remanded to the 14th Judicial District Court for the Parish of Calcasieu, State of Louisiana.

IT IS FURTHER ORDERED that Fed.R.Civ.P. 54(d)(1) costs are assessed against the removing defendant. 28 U.S.C. § 1447(c). Movants' request for costs and fees is otherwise DENIED.

IT IS FURTHER ORDERED that the Clerk of Court make out a certified copy of this judgment, and forward the same to the Clerk of the 14th Judicial District Court for the Parish of Calcasieu, State of Louisiana.

THIS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 6 day of Sept, 2005.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE